

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE ABI JAOUDI AND AZAR
TRADING CORP.,

Plaintiff,

v.

CIGNA WORLDWIDE INS. CO., et al.,

Defendants.

CIVIL ACTION

NO. 91-6785

ORDER

AND NOW, this ____ day of May, 2012, upon consideration of the Joint Emergency Motion for Extension of Time to Respond to Defendant Cigna Worldwide Insurance Company's Amended Emergency Motion for Contempt and To Enforce the Court's Anti-Suit Injunction Order and any responses filed thereto, it is hereby ORDERED that said Joint Emergency Motion is GRANTED and respondents shall have until June 8, 2012 to respond to Defendant's Amended Emergency Motion.

JUDGE PAUL S. DIAMOND, J.

**IN THE UNITED DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE ABI JAOUDI AND AZAR
TRADING CORP.,

Plaintiff,

v.

CIGNA WORLDWIDE INS. CO., et al.,

Defendants.

CIVIL ACTION

NO. 91-6785

**JOINT EMERGENCY MOTION FOR EXTENSION OF TIME TO RESPOND
TO DEFENDANT CIGNA WORLDWIDE INSURANCE COMPANY'S
AMENDED EMERGENCY MOTION FOR CONTEMPT AND TO
ENFORCE THE COURT'S ANTI-SUIT INJUNCTION ORDER**

Non-party respondents Martin Kenney ("Kenney"), James Little ("Little"), Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC and Echemus Investments, Ltd. (together, "Respondent Movants") and defendant Cigna Worldwide Insurance Company ("CWW") (together, "Movants") together file this Joint Emergency Motion for Extension of Time to Respond to Defendant Cigna Worldwide Insurance Company's Amended Emergency Motion for Contempt.¹

In support of this Joint Motion, Movants incorporate and rely upon the attached Memorandum of Law and respectfully request that the Court grant the Joint Motion and enter the proposed Order attached hereto.

¹ By filing this motion and accompanying memorandum, (i) Movants Kenney, Little, Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC and Echemus Investments, Ltd., do not attorn to the jurisdiction of this Court and challenge the same on the basis of want of personal jurisdiction; and (ii) Movant CWW does not waive any argument that the Respondent Movants are subject to the Court's jurisdiction.

Respectfully submitted,

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INSURANCE COMPANY

Dated: May 17, 2012

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE ABI JAOUDI AND AZAR
TRADING CORP.,

Plaintiff,

v.

CIGNA WORLDWIDE INS. CO., et al.,

Defendants.

CIVIL ACTION

NO. 91-6785

**MEMORANDUM OF LAW IN SUPPORT OF JOINT MOTION FOR EXTENSION
OF TIME TO RESPOND TO DEFENDANT CIGNA WORLDWIDE INSURANCE
COMPANY'S AMENDED EMERGENCY MOTION FOR CONTEMPT AND
TO ENFORCE THE COURT'S ANTI-SUIT INJUNCTION ORDER**

Non-party respondents Martin Kenney ("Kenney"), James Little ("Little"), Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC and Echemus Investments, Ltd. (together, the "Respondent Movants"), and defendant Cigna Worldwide Insurance Company ("CWW") (together, "Movants") jointly submit this Memorandum of Law in Support of the Joint Emergency Motion for Extension of Time to Respond to Defendant Cigna Worldwide Insurance Company's Amended Emergency Motion for Contempt.¹

RELEVANT BACKGROUND/PROCEDURAL HISTORY

On May 10, 2012, CWW filed its Amended Emergency Motion for Contempt and to Enforce the Court's Anti-Suit Injunction Order (the "Amended Motion"). In its Motion, CWW

¹ By filing this motion and accompanying memorandum, (i) Movants Kenney, Little, Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC and Echemus Investments, Ltd., do not attorn to the jurisdiction of this Court and challenge the same on the basis of want of personal jurisdiction; and (ii) Movant CWW does not waive any argument that the Respondent Movants are subject to the Court's jurisdiction.

named non-parties Kenney, Little, Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC and Echemus Investments, Ltd. as “investors” and sought an Order holding each of them in contempt of court and requiring them, *inter alia*, to pay attorneys fees and costs in connection with enforcement of this Court’s Anti-Suit injunction entered in or around April 2001.

On May 11, 2012, the Honorable Paul S. Diamond issued an Order requiring all interested parties, including non-parties Kenney, Little, Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC and Echemus Investments, Ltd., to respond to the Amended Motion by May 18, 2012 (the “Order”).

ARGUMENT

I. THIS COURT SHOULD GRANT THE REQUEST FOR AN EXTENSION OF TIME TO RESPOND TO CWW’S MOTION FOR CONTEMPT

Movants Kenney, Little, Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC, Echemus Investments, Ltd., and CWW respectfully request an extension of time for the Respondent Movants to respond to Cigna’s Motion.

Movants Kenney, Little, Echemus Group L.P., Echemus Investment Management Ltd., EF (US) LLC and Echemus Investments, Ltd. received copies of the Amended Motion and Order less than a week ago.² Kenney just yesterday retained separate counsel to represent him in this matter, and received his copy of the Amended Motion on May 10th. Little and the Echemus entities found out about the Amended Motion on May 11th and retained local counsel today in this matter. Given the extent of the record in this case and the factual and legal issues presented by CWW’s motion, Movants Kenney, Little, Echemus Group L.P., Echemus Investment

² While the statements in this paragraph are not within CWW’s knowledge, CWW does not dispute their accuracy for purposes of this motion.

Management Ltd., EF (US) LLC and Echemus Investments, Ltd., request additional time to respond.

Movant CWW does not oppose this request for additional time and joins in this Joint Motion.

Accordingly, Movants respectfully request a twenty-one (21) day extension of time for respondents to respond to CWW's Amended Motion.

CONCLUSION

For the foregoing reasons, Movants respectfully request that this Court grant their Joint Motion for Extension of Time and enter the attached proposed Order.

Respectfully submitted,

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INSURANCE COMPANY

Dated: May 17, 2012

CERTIFICATE OF SERVICE

I hereby certify, that on this date, a true and correct copy of the foregoing Joint Emergency Motion for Extension of Time to Respond to Defendant Cigna Worldwide Insurance Company's Amended Emergency Motion for Contempt was served via the Court's ECF filing system (unless otherwise stated) upon the following:

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Dated: May 17, 2012